

EXHIBIT 45

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Exhibits 1-25

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

IN RE JOHNSON & JOHNSON TALCUM

POWDER PRODUCTS MARKETING,

MDL NO.

SALES PRACTICES, AND PRODUCTS

16-2738 (MAS) (RLS)

LIABILITY LITIGATION

VIDEOCONFERENCE DEPOSITION OF

JOHN GODLESKI, M.D.

Thursday, March 28, 2024, 9:02 a.m.

MARRIOTT BOSTON - QUINCY

1000 Marriott Drive

Quincy, Massachusetts 02169

-----REPORTER: Sonya Lopes, RPR, CSR-----

<p>Page 2</p> <p>1 APPEARANCES:</p> <p>2</p> <p>3 Beasley Allen Law Firm</p> <p>4 David P. Dearing, Esq.</p> <p>5 218 Commerce Street</p> <p>6 Montgomery, Alabama 36103-4160</p> <p>7 334.269.2343</p> <p>8 david.dearing@beasleyallen.com</p> <p>9 for Plaintiffs</p> <p>10</p> <p>11 Shook, Hardy & Bacon LLP</p> <p>12 Mark Hegarty, Esq.</p> <p>13 2555 Grand Boulevard</p> <p>14 Kansas City, Missouri 64108-2613</p> <p>15 816.474.6550</p> <p>16 mhegarty@shb.com</p> <p>17 for Defendants</p> <p>18</p> <p>19 Also present: Kerry Stufflebean</p> <p>20 Richard Golomb, Esq. (Via Zoom)</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>Page 4</p> <p>1 I N D E X</p> <p>2</p> <p>3 EXHIBIT PAGE</p> <p>4 Exhibit 11, analysis summary for Newsome</p> <p>5 case.....124</p> <p>6 Exhibit 12, June 24, 2021 expert report</p> <p>7 for Newsome case.....128</p> <p>8 Exhibit 13, pathology report for Newsome</p> <p>9 case.....132</p> <p>10 Exhibit 14, handwritten notes for Newsome</p> <p>11 case.....132</p> <p>12 Exhibit 15, March 26, 2021 letter.....136</p> <p>13 Exhibit 16, chain of custody documents</p> <p>14 for Newsome case.....137</p> <p>15 Exhibit 17, July 27, 2021 letter.....144</p> <p>16 Exhibit 18, invoice for Newsome case.....145</p> <p>17 Exhibit 19, analysis summary for Judkins</p> <p>18 case.....175</p> <p>19 Exhibit 20, invoice for Judkins case.....178</p> <p>20 Exhibit 21, pathology report for Judkins</p> <p>21 case.....180</p> <p>22 Exhibit 22, handwritten notes for Judkins</p> <p>23 case.....180</p> <p>24 Exhibit 23, chain of custody documents</p> <p>25 for Judkins case.....185</p>
<p>Page 3</p> <p>1 I N D E X</p> <p>2</p> <p>3 WITNESS: JOHN GODLESKI, M.D.</p> <p>4</p> <p>5 EXAMINATION BY: PAGE</p> <p>6 Mr. Hegarty 6, 124, 173, 226</p> <p>7 Mr. Dearing 123, 172, 224</p> <p>8</p> <p>9 EXHIBIT PAGE</p> <p>10 Exhibit 1, list of prior testimony.....15</p> <p>11 Exhibit 2, analysis summary for Gallardo</p> <p>12 case.....30</p> <p>13 Exhibit 3, pathology report for Gallardo</p> <p>14 case.....48</p> <p>15 Exhibit 4, handwritten notes for Gallardo</p> <p>16 case.....48</p> <p>17 Exhibit 5, July 21, 2021 expert report</p> <p>18 for Gallardo case.....53</p> <p>19 Exhibit 6, invoice for Gallardo case.....54</p> <p>20 Exhibit 7, July 28, 2021 cover letter and</p> <p>21 chain of custody documents for</p> <p>22 Gallardo case.....54</p> <p>23 Exhibit 8, IARC monographs Volume 100C...112</p> <p>24 Exhibit 9, image of Particle 730.....121</p> <p>25 Exhibit 10, spectrum for Particle 730....121</p>	<p>Page 5</p> <p>1 I N D E X</p> <p>2</p> <p>3 EXHIBIT PAGE</p> <p>4 Exhibit 24, March 30, 2021 letter.....197</p> <p>5 Exhibit 25, June 18, 2021 expert report</p> <p>6 for Judkins case.....200</p> <p>7</p> <p>8 *Exhibits returned to Mr. Hegarty</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

<p style="text-align: right;">Page 6</p> <p>1 JOHN GODLESKI, M.D., 2 having been satisfactorily identified by means of a 3 driver's license, was duly sworn by the notary 4 public, examined, and testified as follows: 5 EXAMINATION 6 BY MR. HEGARTY: 7 Q. Good morning, Dr. Godleski. 8 A. Good morning. 9 Q. Would you please state your full name for 10 the record? 11 A. John Joseph Godleski. 12 Q. Dr. Godleski, are you still the owner of 13 John J. Godleski, M.D., LLC? 14 A. Yes. 15 Q. You testified at a prior deposition that 16 you pay yourself 4,000 a month from this business. 17 Do you recall telling me that in the past? 18 A. That sounds about right. 19 Q. Is that still the case? 20 A. No. It's a little more. It's 6,000 a 21 month now. 22 Q. How long has it been 6,000 a month? 23 A. Past year. 24 Q. When you say "in the past year," how far 25 back?</p>	<p style="text-align: right;">Page 8</p> <p>1 Q. What's an example of something you have 2 reimbursed yourself for in the last couple of years? 3 A. I have a subscription to Courtroom View 4 Network. And when I established that, I put -- I 5 established it on a personal credit card rather than 6 the business credit card. And I've never bothered 7 to change it. So I reimburse myself for that 99 8 bucks. 9 Q. So other than the monthly amounts that you 10 receive from the LLC and what you receive through 11 these reimbursements, in the last several years, 12 have you received any other income from your LLC? 13 A. No. 14 Q. Do you recall being deposed in the Cadigan 15 and Forest cases back in 2019? 16 A. Vaguely. 17 Q. Since those depositions -- or if you want 18 to time it, since October of 2019 -- that's about 19 four and a half years ago -- have you received any 20 income from any Harvard school or from Brigham and 21 Women's Hospital? 22 A. No. 23 Q. Since October of 2019, have you been asked 24 by anyone at Harvard to consult on any individual 25 patient's case?</p>
<p style="text-align: right;">Page 7</p> <p>1 A. 2023. 2 Q. Prior to 2023, was it still the \$4,000 a 3 month? 4 A. Yeah. 5 Q. In the last two years, have you received 6 income or other money through your LLC beyond this 7 monthly income we just talked about? 8 A. To me personally? 9 Q. To you personally. 10 A. No. 11 Q. For example -- 12 A. Wait a minute. 13 Q. Have you -- let me ask it a different way. 14 Other than the monthly amount that we just 15 talked about, in the last couple of years, have you 16 received anything like a bonus or a year-end 17 distribution on top of that monthly amount? 18 A. No. 19 Q. Have you received any other type of 20 distribution from your LLC in the last couple of 21 years beyond the monthly payments that we just 22 talked about? 23 A. Not really. I do reimburse myself when I 24 pay for things out of pocket or with a personal 25 credit card. But other than that, no.</p>	<p style="text-align: right;">Page 9</p> <p>1 A. No. I've been asked -- I've consulted on 2 research issues but not a particular case. 3 Q. When you say you've been asked to consult 4 on research issues in the past four and a half years 5 -- and the reason I'm limiting it to the last four 6 and a half years is because you and I brought 7 ourselves up to date on all these activities as of 8 October 2019. So what I'm interested in is any 9 activities along the lines I'm going to ask you 10 about since that time. 11 So with regard to research activities, what 12 type of research activities had you had any consult 13 on with anyone at Harvard or Brigham and Women's 14 Hospital since October of 2019? 15 A. I consulted on the macrophage actions in 16 removal of tattoos as one area that I've consulted 17 on with a group. Another has to do with the, again, 18 macrophage actions relative to uptake of particles. 19 These are all particle-related things as part of a 20 group at the Mass. General, and those are the 21 primary ones. 22 Q. Who are some of the members of the group at 23 Mass. General or the lead member at Mass. General 24 that you have consulted -- 25 A. I can't remember the name.</p>

<p style="text-align: right;">Page 110</p> <p>1 Q. And in the Dropbox you provided, did you 2 provide all the spectrum and images of all 795 3 particles? 4 A. I believe so. They're usually called 5 reports. 6 Q. How many of the 795 particles were or did 7 you identify as being exogenous material? 8 A. Just a second. 497 had constituents 9 indicative of exogenous, including 200 talc; 157 10 magnesium silicates just outside the 5 percent 11 criteria for talc; 81 magnesium silicates with other 12 cations; 30 fragments, fibers accepted as tremolite 13 asbestos; and 20 other -- 21 other exogenous 14 particles, including various combinations, metals or 15 silicon and nonmetallic elements. So the majority 16 of it was either talc or just outside our criteria 17 for talc. 18 Q. The spectrums you provided make reference 19 to particles that include boron, aluminum, and 20 chromium. Are those typical exogenous metals that 21 you see as part of this work? 22 A. Sometimes we do. 23 Q. And with regard to the spectrum, sometimes 24 the spectrum lists components in red. What does it 25 mean when it's listed in red?</p>	<p style="text-align: right;">Page 112</p> <p>1 going to mark this as the next exhibit, which I 2 think is Exhibit 8. 3 (IARC Monographs Volume 100C, 4 Exhibit 8, marked) 5 Q. Can you look at Exhibit 8, Dr. Godleski, 6 and tell me where you're referring to by your 7 citation that IARC has listed talc fibers as a 8 Group 1 carcinogen? 9 I have handed you Reference 10 or, I should 10 say, have handed you the "Arsenic, metals, fibres, 11 and dusts" Volume 100C, recognizing that your 12 Reference 10 refers to monograph Volumes 1 through 13 29 international -- I take it back. Let me start 14 over again. 15 Your Reference 10 says "International 16 Agency For Research on Cancer, Agents classified by 17 IARC Monographs Volume 1 through 29." But I'm 18 handing you specifically the monograph on asbestos. 19 Do you recognize what I've handed you, Dr. Godleski? 20 A. Yes. 21 Q. Is this the reference that you're referring 22 to when you're calling what IARC designated -- the 23 IARC-designated talc fibers as a Group 1 carcinogen? 24 Do you need time to look at that, Doctor? 25 A. Yeah.</p>
<p style="text-align: right;">Page 111</p> <p>1 A. When they're listed in red, that means that 2 they're at a level where they can't be determined as 3 being present or being identified in error. So 4 they're generally disregarded. 5 Q. Now, in Ms. Gallardo's case, by your 6 process, you didn't attempt to count all the 7 particles in the tissue that you had available to 8 you; correct? 9 A. That's correct. 10 Q. What you do is you take the number of 11 particles that you find, then extrapolate that to a 12 number using the -- your reference to the Roggli 13 paper; correct? 14 A. Yes. 15 Q. Now, your report over on page 6 in the 16 paragraph below the table, Table 2, makes reference 17 to IARC identifying talc fibers as a Group 1 18 carcinogen, Reference 10. Do you see that, Doctor? 19 A. Yes. 20 Q. I'm going to mark as the next exhibit the 21 portion of that IARC monograph that makes reference 22 to asbestos. 23 MR. HEGARTY: Off the record real quick. 24 (Off record discussion) 25 MR. HEGARTY: Back on the record. I'm</p>	<p style="text-align: right;">Page 113</p> <p>1 MR. HEGARTY: Let's go off the record. 2 (A break was taken) 3 MR. HEGARTY: We're back on the record. 4 We're going to circle back around when Dr. Godleski 5 has had more time to look at the IARC monograph I 6 handed to him to respond to my question. 7 Q. You make note on page -- at the top of 8 page 8 of your report that the finding of asbestos 9 by the methods you used is highly significant. What 10 did you mean when you say "highly significant"? 11 A. It's a very important finding of finding 12 this material in her tissues that drain the ovary in 13 terms of both its identification as a -- as it 14 documents her exposure as well as finding the 15 particles in her tissues that drain the ovary. 16 Q. Turn over to page 6 of your report. In the 17 paragraph we were talking about where you made 18 reference to IARC, you say at the end of that same 19 paragraph that "The finding of one fiber with the 20 magnesium," slash, "silicon atomic weight percent 21 ratio of a tremolite asbestos fiber, a known and 22 widely accepted carcinogen and a known component of 23 cosmetic talc found in the pelvis tissues -- 24 References 11 to 13 -- is similarly of great 25 importance in linking Ms. Gallardo's ovarian cancer</p>

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1 REPORTER'S CERTIFICATE

2

3 I, SONYA LOPES, Registered Professional

4 Reporter and Notary Public in and for the

5 Commonwealth of Massachusetts, certify;

6 That the foregoing proceedings were taken

7 before me at the time and place therein set forth,

8 at which time the witness was properly identified

9 and put under oath by me;

10 That the testimony of the witness, the

11 questions propounded, and all objections and

12 statements made at the time of the examination were

13 recorded stenographically by me and were thereafter

14 transcribed;

15 That the foregoing is a true and correct

16 transcript of my shorthand notes so taken.

17 I further certify that I am not a relative or

18 employee of any attorney of the parties, nor

19 financially interested in the action.

20 I declare under penalty of perjury that the

21 foregoing is true and correct.

22 Dated this 11th day of April, 2024.

23

<%11353,Signature%>

24 Sonya Lopes

My Commission Expires:

25 Notary Public

October 28, 2027

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